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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,011	12/31/2001	Joachim Grabscheid	P21633	5775

7055 7590 02/13/2004

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EXAMINER

HALPERN, MARK

ART UNIT PAPER NUMBER

1731

DATE MAILED: 02/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/032,011	GRABSCHEID ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mark Halpern	1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-9,11 and 13-15 is/are rejected.
- 7) ☒ Claim(s) 4,10,12 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/17/03</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

- 1) Request for Continued Examination (RCE) received 12/17/2003, has been approved. An action on the RCE follows.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 2) Claims 1-3, 7-9, 11, 13-15, are rejected under 35 U.S.C. 102(b) as being anticipated by Staaf (UK 683,347).

Claims 1-3, 7-8, 13-15: Staaf discloses apparatus for cleaning of Fourdrinier wires on which a web is traveling in a papermaking machine (pg. 1, lines 8-6). The apparatus includes tube 11 secured above moving wire 10 and extending across the entire width of said moving wire. Secured in the tube 11, at equal distances are a number of bushings 15 which communicate with the interior of the tube, which is connected to a water source under pressure by means of pipe 20. Pressed into each bushing is a bearing 16, the axle of which is perpendicular to the longitudinal direction of the tube 11. Connected to each bearing through sleeve 17 and flange 18 are pipes 19, the ends of which pipes are nozzled capable of releasing jets 21 onto the longitudinally moving Fourdrinier wire 10. Each of the eight nozzles shown in Figure 1 moves in a

circular rotation around the bearing axis. The nozzles jets are overlapping and in combination are arranged to control the wetting of the entire cross direction of the moving wire. The jet nozzles are arranged and controlled to rotate at 1000 revolutions per minute and deliver water pressure from the jet nozzles at between 2.5 and 6 kg/cm<sup>2</sup>. The nozzles are arranged to be of diameter from 2.0 to 4.0 mm as a control means of the amount of fluids discharged onto the wire. The nozzles are designed to deliver steam or a gas or a combination as the cleaning fluid (pg. 1, lines 44-75, pg. 2, line 59 to pg. 3, line 10, and Figures 1-3). The Staaf arrangement as a means to control the amount of fluids discharged onto the wire, the arrangement for nozzles rotation and the arrangement to deliver water at particular pressure reads on the claimed "a device for controlling and/or regulating a moisture cross direction profile and at least one of a rate of flow of said nozzle and a speed of movement of said nozzle unit". The nozzles of Staff are inclined rearward in respect of the direction in which the nozzle unit revolves or rotates (col. 2, lines 25-45). This reads on the limitation of nozzles being swivelable in a direction away the element to be impinged recited in claim 15.

Claims 9, 11: as shown in Figure 1, each of the nozzle units includes a nozzle.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3) Claims 5-6, are rejected under 35 U.S.C. 103(a) as being unpatentable over Staaf in view of Zapp (UK 835,670). Staaf is applied as above for claim 1, Staaf fails to disclose that the distances between the nozzles are equal. Zapp discloses an apparatus for spraying flat sheets, such as leather, metal or the like (pg. 1, lines 52-56). The apparatus includes a revolving ring to which spray guns and guiding photoelectric cells are attached. The rotating ring revolves about the pivot 3 in the direction indicated by the arrow. The four spray guns 6, equally distanced from each other, spray the object placed on the moving conveyor belt 1, covering the spray area over the entire width of a moving belt (pg. 1, line 57 to pg. 3, line 94, and Figures 1-2). It would have been obvious to one skilled in the art at the time the invention was made, to combine the teachings of Staaf and Zapp, because such a combination would provide for an additional pattern of cleaning of the wire of Staff due a different spacing arrangement of nozzles.

***Allowable Subject Matter***

4) Claims 4, 10, 12, 16, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for indicating allowable subject matter is that cited prior art does not show an application device for impinging on an element of a machine the


application device having: a test device located outside an effective zone of the width of the machine (claims 4, 10, 16); nozzles that are pin-type or fan (claim 12).

**Conclusion**

5) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Halpern whose telephone number is 571-272-1190. The examiner can normally be reached on Mon-Fri, (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9309.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-270-1700.

  
Mark Halpern  
Patent Examiner  
Art Unit 1731